

STATE OF WISCONSIN
Assembly Journal
Eighty-Ninth Regular Session

9:30 A.M.

THURSDAY, February 1, 1990

The assembly met.

Speaker Loftus in the chair.

Representative Hauke asked unanimous consent for a quorum call. Granted.

A quorum was present.

The prayer was offered by Representative Tregoning.

Representative Stower led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, C., Potter, R., Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 96.

Absent — None.

Absent with leave — Representative Williams — 1.

Vacancies — 10th and 14th Assembly Districts — 2.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Joint Resolution 18** offered by Representatives Thompson and Schneider.

Assembly substitute amendment 2 to **Assembly Joint Resolution 92** offered by Representative Vergeront.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 58** offered by Representatives Krusick, Holperin and Schneider.

Assembly amendment 2 to **Assembly Bill 107** offered by Joint Committee on Finance.

Assembly amendment 1 to **Assembly Bill 207** offered by Representative Holperin.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 235** offered by Representative S. Coggs.

Assembly substitute amendment 1 to **Assembly Bill 526** offered by Representative Bell.

Assembly amendment 2 to **Assembly Bill 723** offered by Representatives Lewis and Radtke.

Assembly amendment 1 to **Assembly Bill 727** offered by Representatives Hamilton and Van Dreel.

Assembly substitute amendment 1 to **Assembly Bill 747** offered by Representative Holperin.

Assembly amendment 1 to **Assembly Bill 765** offered by committee on State Affairs.

Assembly amendment 2 to **Assembly Bill 765** offered by committee on State Affairs.

Assembly amendment 3 to **Assembly Bill 765** offered by committee on State Affairs.

Assembly amendment 4 to **Assembly Bill 765** offered by committee on State Affairs.

Assembly substitute amendment 1 to **Assembly Bill 776** offered by committee on Education.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 89-103

Relating to income and franchise taxation, including various administrative issues, income tax deductions, returns and credits for tax paid to other states.

Submitted by Department of Revenue.

To committee on Ways and Means.

Referred on February 1, 1990.

Assembly Clearinghouse Rule 89-178

Relating to fee charges for providing endangered resources information.

Submitted by Department of Natural Resources.

To committee on Natural Resources.

Referred on February 1, 1990.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 116

Relating to commending Dan Brandenstein on his mission as Commander of the space shuttle, Columbia.

By Representatives Stower, Radtke, Huber, Welch, Loucks, Bolle, Vanderperren, Harsdorf, Swoboda, Van Dreel, R. Potter, Zweck, Medinger, Linton, Hubler, Hinkfuss, Baldus, Holschbach, Musser, Lorge, Schmidt, Goetsch, Lehman, Ott, Walling, Klusman, Larson, Ourada, Lepak, Rosenzweig, Zeuske, Schneiders, Urban, Vergeront, Coleman, Van Gorden, Brandemuehl, Ladwig, Turba, Schultz, Lahn, Gard, Zien, Underheim, Huelsman, Duff, Clarenbach, Rohan, Young, Hamilton, Plache, S. Coggs, Moore, Notestein, Grobschmidt, Bock, Rutkowski, Carpenter and Holperin, cosponsored by Senators Lorman, Strohl, Risser, Van Sistine, Czarnecki, Ulichny, Plewa, Feingold, Kincaid, Helbach and Berndt.

To committee on Rules.

Assembly Bill 819

Relating to county authority to regulate places of amusement.

By Representatives Coleman, Lepak, Porter, Lewis, Stower, Ladwig, Brandemuehl, Tregoning, Turba, Goetsch, Deininger, Johnsrud, Schmidt, Musser, Lahn, Lehman, Lorge, Urban and Schneiders, cosponsored by Senators Weeden, Adelman, Andrea, Lorman, Burke and Chilsen.

To committee on Urban and Local Affairs.

Assembly Bill 820

Relating to prohibiting the transportation of pupils in prestandard school buses.

By Representatives Plache, M. Coggs, Bell, Notestein, R. Potter, Fortis, Robson, Urban, Moore and Carpenter, cosponsored by Senators Chvala, Burke, Ulichny, Czarnecki and Chilsen.

To committee on Education.

Assembly Bill 821

Relating to tourism loan participation by the Wisconsin housing and economic development authority and authorizing the Wisconsin housing and economic development authority to issue bonds.

By Representatives Holperin, Van Dreel, Linton, Hubler, Volk, Larson, Zweck, R. Potter, Lautenschlager, Bock, Huber, Baldus, Bell, Kunicki, Musser, Ott, Ourada and Lepak, cosponsored by Senators Jauch, Feingold, Moen, Helbach, Andrea and Van Sistine.

To committee on Housing, Securities and Corporate Policy.

Assembly Bill 822

Relating to creating a pilot health care provider program.

By Representatives Plache, Hinkfuss, Porter, Ladwig, R. Potter, Lepak, Fergus, Urban, Loucks, Moore, Notestein, Carpenter, Black, Gronemus,

Robson, Young, Zweck, Grobschmidt, Lautenschlager, Huber, Ourada, Johnsrud, Van Gorden, Zien, M. Coggs, Holschbach, Gruszynski, Boyle and Van Dreel, cosponsored by Senators Strohl, Roshell, Andrea, Barrett and Te Winkle.

To committee on Health.

Assembly Bill 823

Relating to solid waste disposal information.

By Representative Black, cosponsored by Senator Chvala.

To committee on Natural Resources.

Assembly Bill 824

Relating to forbidding discrimination in employment on the basis of political belief or affiliation.

By Representatives Clarenbach and Bock, cosponsored by Senator Risser.

To committee on State Affairs.

Assembly Bill 825

Relating to authorizing the board of regents of the university of Wisconsin system to deduct contributions from the salaries of football coaches employed in the university of Wisconsin system who are eligible and wish to participate in a qualified cash or deferred arrangement pension plan for football coaches.

By Representatives Tregoning, Loftus, Prosser, Brandemuehl and Rohan, cosponsored by Senators Kreul and Andrea.

To committee on Colleges and Universities.

Assembly Bill 826

Relating to highway salt use, providing for immunity and granting rule-making authority.

By Representatives Holperin, Bell, Seery, Young, Carpenter, Lautenschlager, Bock, Black, Roberts, Duff and Gruszynski, cosponsored by Senators Chvala, Jauch, Strohl and Czarnecki.

To committee on Transportation.

Assembly Bill 827

Relating to designating the Milwaukee river and its watershed a scenic urban waterway and making an appropriation.

By Representatives Panzer, Fortis, Rosenzweig, Barca, Radtke, Zeuske, Zien, Lahn, Gruszynski, Schultz and Lorge, cosponsored by Senators George, Kreul and Burke.

To committee on Natural Resources.

Assembly Bill 828

Relating to provision of aftercare services for youth.

By Representatives Krug, Prosser, Travis, Rosenzweig, Notestein, Lewis and Rohan, cosponsored by Senators Moen and Burke.

To committee on Children and Human Services.

Assembly Bill 829

Relating to the wildlife damage abatement and wildlife damage claim programs and making an appropriation.

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By Representatives Ourada, Volk, Holperin, Brancel, Lehman, Lorge, Radtke, Goetsch, Boyle, Zien, Musser, Brandemuehl and Klusman, cosponsored by Senators Lecaen and Farrow.

To committee on Natural Resources.

Assembly Bill 830

Relating to requiring insurance coverage of liver transplants and granting rule-making authority.

By Representatives Larson, Gard, Grobschmidt, Boyle and Zien, cosponsored by Senator Kincaid.

To committee on Financial Institutions and Insurance.

and Gard, by request of the students of the Ashland Middle School.

To committee on Rules.

Senate Bill 327

Relating to permitting meetings of boards of directors of corporations, cooperatives and financial institutions to be conducted by telephone or by other communication technology.

By Senator Van Sistine; cosponsored by Representative Holperin.

To committee on Housing, Securities and Corporate Policy.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Assembly Bill 132

Assembly Bill 274

Assembly Bill 288

Assembly Bill 555

Assembly Joint Resolution 19

Assembly amendment 1 to Senate Bill 21

Passed and asks concurrence in:

Senate Bill 314

Senate Bill 327

Concurred in as amended:

Assembly Bill 116 (Senate amendment 1 to senate substitute amendment 1 and senate substitute amendment 1 adopted)

PETITIONS

Assembly Petition 23

Submitted by Wisconsin Pro-Gun Laws for America, consisting of approximately 17,649 signatures of citizens of the state of Wisconsin in opposition to any gun control legislation and in support of Assembly Joint Resolution 18, relating to the right to keep and bear arms.

By Representatives Zien and Thompson.

To committee on State Affairs.

Assembly Petition 24

Submitted by the Veterans of Foreign Wars (VFW), VFW Auxiliary, and Wisconsin Tavern League consisting of approximately 12,248 signatures of citizens of the state of Wisconsin in support of legislation to provide appropriate penalties under the law for those who desecrate and/or destroy the U.S. Flag.

By Representatives Zien and Thompson.

To committee on State Affairs.

Assembly Petition 25

Submitted by LaVerne Peterson, consisting of 24 signatures of citizens of the state of Wisconsin in opposition to the mandatory seat belt law.

By Representative Zien.

To committee on State Affairs.

Assembly Petition 26

Submitted by Dr. Ralph Stuesser, consisting of 43 signatures of citizens of the state of Wisconsin in opposition to the buyout of Indian Treaty Rights.

By Representative Zien.

To committee on Elections and Constitutional Law.

Assembly Petition 27

Submitted by Bruce Wineman of Spencer, consisting of 53 signatures of citizens of the state of Wisconsin in support of amending the Constitution of the State of Wisconsin to guarantee the right to keep and bear arms.

By Representative Zien.

To committee on State Affairs.

Assembly Petition 28

Submitted by the Veterans of Foreign Wars, - Department of Wisconsin, American Ex-Prisoners of War and the American Legion consisting of 239

ACTION ON THE SENATE MESSAGE

Assembly Bill 116

Relating to insurance coverage of mammograms to detect the presence of breast cancer.

By Representatives Robson, Bell, Notestein, M. Coggs, Hubler, Krug, Rohan, Linton, Van Dreef, Lautenschlager, Hinkfuss, Krusick, Stower, Grobschmidt, Medinger, Boyle, Carpenter, Brandemuehl, Holschbach, Lorge, Musser, Bolle, Bock, Radtke, Vanderperren and Fortis, cosponsored by Senators Ulichny, Buettner, Kincaid and Burke.

To calendar.

Senate Bill 314

Relating to the observance of April 22 as environmental awareness day in public schools.

By Senators Jauch, Chvala, Czarnecki, Van Sistine, Feingold, Lorman, Te Winkle, Roshell and Farrow; cosponsored by Representatives Linton, Stower, Carpenter, Black, Van Gorden, Loucks, Underheim, Bock, Lautenschlager, Boyle, Lorge, Baldus, Robson

signatures of citizens of the state of Wisconsin in support locating the National Joint Readiness Training Center (NJRTC) at Fort McCoy.

By Representative Zien.

To committee on Veterans and Military Affairs.

Assembly Petition 29

Submitted by Margie Craemer of Eau Claire, consisting of 13 signatures of citizens of the state of Wisconsin in opposition to the death penalty.

By Representative Zien.

To committee on Criminal Justice and Public Safety.

LEAVES OF ABSENCE

Representative Hauke asked unanimous consent for a leave of absence for today's session for Representative Williams. Granted.

MOTIONS

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 116** be withdrawn from the committee on Rules and taken up at this time. Granted.

Assembly Joint Resolution 116

Relating to commending Dan Brandenstein on his mission as Commander of the space shuttle, Columbia.

The question was: Shall **Assembly Joint Resolution 116** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 116** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the assembly stand recessed for ten minutes. Granted.

The assembly stood recessed.

9:40 A.M.

RECESS

9:55 A.M.

The assembly reconvened.

Speaker pro tempore Clarenbach in the chair.

Representative Hauke asked unanimous consent that all members of the assembly be made coauthors of **Assembly Joint Resolution 115**. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 115** be withdrawn from the committee on Rules and taken up at this time. Granted.

Assembly Joint Resolution 115

Relating to the life and public service of Sister Maureen Courtney.

The question was: Shall **Assembly Joint Resolution 115** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 115** be immediately messaged to the senate. Granted.

CALENDAR OF THURSDAY, FEBRUARY 1

Assembly Joint Resolution 86

Relating to reasonable limits on state and local campaign expenditures (first consideration).

Representative Prosser moved rejection of **Assembly Joint Resolution 86**.

The question was: Shall **Assembly Joint Resolution 86** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Brancel, Brandemuehl, Coleman, Deininger, Foti, Gard, Goetsch, Gronemus, Huelsman, Johnsrud, Klusman, Ladwig, Lahn, Larson, Lehman, Lewis, Lorge, Loucks, Moore, Musser, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Schmidt, Schneiders, Schultz, Tregoning, Turba, Underheim, Urban, Van Gorden, Vergeront, Welch, Zeuske and Zien — 39.

Noes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Krug, Krusick, Kunicki, Lautenschlager, Lepak, Linton, Medinger, Notestein, Plache, Potter, C., Potter, R., Roberts, Robson, Rohan, Rutkowski, Schneider, Seery, Stower, Swoboda, Thompson, Travis, Van Dreef, Vanderperren, Volk, Walling, Wimmer, Wineke, Wood, Young, Zweck and Speaker Loftus — 56.

Absent or not voting — Representatives Duff and Williams — 2.

Motion failed.

Representative Gronemus asked unanimous consent to be recorded as voting "No" on the previous question. Granted.

Representative Duff asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

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Representative Walling asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Wimmer asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Schneider in the chair.

The question was: Shall **Assembly Joint Resolution 86** be adopted?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Huber, Hubler, Krug, Krusick, Kunicki, Larson, Lautenschlager, Lepak, Linton, Medinger, Moore, Notestein, Plache, Porter, Potter, C., Potter, R., Radtke, Roberts, Robson, Rohan, Rutkowski, Schneider, Seery, Stower, Swoboda, Thompson, Travis, Van Dreel, Vanderperren, Volk, Wineke and Wood — 54.

Noes — Representatives Brancel, Brandemuehl, Coleman, Deininger, Duff, Foti, Gard, Goetsch, Harsdorf, Hinkfuss, Huelsman, Johnsrud, Klusman, Ladwig, Lahn, Lehman, Lewis, Lorge, Loucks, Musser, Ott, Ourada, Panzer, Prosser, Rosenzweig, Schmidt, Schneiders, Schultz, Tregoning, Turba, Underheim, Urban, Van Gorden, Vergeront, Walling, Welch, Wimmer, Young, Zeuske, Zien, Zweck and Speaker Loftus — 42.

Absent or not voting — Representative Williams — 1.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 86** be immediately messaged to the senate. Granted.

Assembly Bill 192

Relating to creating a method by which certain towns may change their status to a 4th class city.

Representative Gruszynski in the chair.

The question was: **Assembly Bill 192** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Bolle, Boyle, Brancel, Brandemuehl, Clarenbach, Coleman, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Hamilton, Harsdorf, Hauke, Holperin, Hubler, Huelsman, Klusman, Krusick, Ladwig, Lahn, Larson,

Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Musser, Ourada, Panzer, Porter, Rosenzweig, Rutkowski, Schmidt, Schultz, Stower, Swoboda, Thompson, Tregoning, Turba, Van Gorden, Vanderperren, Vergeront, Volk, Welch, Wimmer, Zeuske and Zweck — 51.

Noes — Representatives Barca, Bell, Black, Bock, Carpenter, Coggs, M., Coggs, S., Deininger, Duff, Fergus, Fortis, Gruszynski, Hasenohrl, Hinkfuss, Holschbach, Huber, Johnsrud, Krug, Kunicki, Lautenschlager, Medinger, Moore, Notestein, Ott, Plache, Potter, C., Potter, R., Prosser, Radtke, Roberts, Robson, Rohan, Schneider, Schneiders, Seery, Travis, Underheim, Urban, Van Dreel, Walling, Wineke, Wood, Young, Zien and Speaker Loftus — 45.

Absent or not voting — Representative Williams — 1.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 192** be immediately messaged to the senate.

Representative Krug objected.

Assembly Bill 593

Relating to the study of the black bear as a predator of the white-tailed deer and making an appropriation.

The question was: **Assembly Bill 593** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Krusick, Kunicki, Larson, Lautenschlager, Linton, Medinger, Moore, Musser, Notestein, Plache, Potter, C., Potter, R., Roberts, Robson, Rohan, Rutkowski, Schneider, Schultz, Seery, Stower, Swoboda, Travis, Van Dreel, Vanderperren, Volk, Wineke, Wood, Young, Zweck and Speaker Loftus — 54.

Noes — Representatives Brancel, Brandemuehl, Coleman, Deininger, Duff, Foti, Gard, Goetsch, Harsdorf, Hubler, Huelsman, Johnsrud, Klusman, Krug, Ladwig, Lahn, Lehman, Lepak, Lewis, Lorge, Loucks, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rosenzweig, Schmidt, Schneiders, Thompson, Tregoning, Turba, Underheim, Urban, Van Gorden, Vergeront, Walling, Welch, Wimmer, Zeuske and Zien — 42.

Absent or not voting — Representative Williams — 1.

Motion carried.

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Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 593** be immediately messaged to the senate. Granted.

Representative Loucks asked unanimous consent that the assembly adjourn in honor of Thomas H. Kister of Mequon, his legislative intern. Granted.

Representative Grobschmidt asked unanimous consent that the assembly adjourn in honor of Assembly Head Messenger Ritch Williams and Messenger Francine Frechette, who will exchange their marriage vows in the Assembly Chambers on Saturday, February 6, 1990. Granted.

Representative Gard asked unanimous consent that the assembly adjourn in honor of Bill Rediske, his legislative aide, who is leaving for another job tomorrow. Granted.

Representative Schmidt asked unanimous consent that the assembly adjourn in honor of all those who lost their lives in Vietnam on this twenty-second anniversary of the Tet Offensive. Granted.

VISITORS

During today's session, the following visitors honored the assembly by their presence and were welcomed by the presiding officer and the members:

Stefanie Walter from Walsrade, West Germany and Gustavo Nascimento from Sao Paolo, Brazil, attending Homestead High School in Mequon; and Stefanie Kraker from West Berlin, West Germany, attending Kettle Moraine Lutheran High School in Jackson; also, Amy Bennetsen and Denny Clarke from Mequon, guests of Representative Loucks.

UW-RiverFalls College Republicans and chairperson Carla Peper, guests of Representative Welch.

William E. Bourgeois from Marinette, guest of Representative Gard.

A Government Class and the Academy Singers of Maranatha Baptist Academy in Watertown, guests of Representative Radtke.

Jerry Powalisz from Manitowoc, guest of Representative Holschbach.

Mike Tankovich from Osseo, guest of Representative Gronemus.

Kenneth Purdue from Viroqua, guest of Representative Johnsrud.

Representative Hauke moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, February 6.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:05 P.M.